

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ZACHAURY CLAYTON CAPRIOTTI,	:	
Petitioner	:	
	:	
v.	:	No. 1:24-cv-01366
	:	
	:	(Judge Kane)
MICHAEL GOURLEY, Superintendent,	:	
SCI CAMP HILL, <u>et al.</u>,	:	
Respondents	:	

ORDER

AND NOW, on this 12th day of September 2024, upon consideration of the petition for a writ of habeas corpus under 28 U.S.C. § 2254, application for leave to proceed in forma pauperis (“IFP Application”), and prisoner trust fund account statement filed by pro se Petitioner Zachaury Clayton Capriotti (“Capriotti”) (Doc. Nos. 1–3), and in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. The IFP Application (Doc. No. 2) is **GRANTED**, and Capriotti has leave to proceed in forma pauperis in this action;
2. The Clerk of Court is **DIRECTED** to **SEND** a copy of this Order to the Superintendent/Warden of the institution wherein Capriotti is presently incarcerated;
3. The petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. No. 1) is **DEEMED FILED**;
4. The Clerk of Court shall **SUBSTITUTE** the current Respondents listed on the docket with Michael Gourley, Superintendent of SCI Camp Hill, as well as the Attorney General for the Commonwealth of Pennsylvania;
5. The petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE**;
6. A certificate of appealability **SHALL NOT ISSUE**;
7. The Clerk of Court is directed to **SEND** copies of this Order and the accompanying Memorandum to Capriotti, see R. 4, 28 U.S.C. foll. § 2254; and

8. The Clerk of Court is directed to **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania